

REMARKS

The 22 February 2010 Final Office Action has been carefully studied and considered. Applicant respectfully traverses all claim rejections at least for the reasons given below, and requests reconsideration of all pending claims.

Each pending independent claim recites that the connecting elements are formed by **recesses** in the module housing and extend from an **exterior** of the housing. The claim term “exterior” is misconstrued and the claim term “recess” is misconstrued or ignored altogether, and therefore all claim rejections are in error and must be withdrawn.

The law of claim construction in *ex parte* prosecution requires the Examiner to give a claim term its plain and ordinary meaning, unless it is inconsistent with the specification. MPEP § 2111. Moreover, the claims themselves provide substantial guidance as to the meaning of particular claim terms. The context of the surrounding words of the claim is considered in determining the ordinary and customary meaning of the claim terms. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1314 (Fed. Cir. 2005). And, of course, the construction given a claim term must be consistent with the specification and how a person of ordinary skill in the art would construe the term in light of the specification. See *In re Wheeler*, 2008-1215, Serial No. 10/899,352 (Fed. Cir. 2008), *In re Hyatt*, 211 F.3d 1367, 54 USPQ2d 1664 (Fed. Cir. 2000), *In re Cortright*, 165 F.3d 1353, 49 USPQ2d 1464 (Fed. Cir. 1999), MPEP § 2111.01. The Examiner’s implicit constructions of the claim terms “recesses” and “exterior” fail on all accounts. They are inconsistent with the plain and ordinary meaning of the terms at issue, and inconsistent with the specification and how a person of ordinary skill in the art would construe the terms in light of the specification.

“Recess”, properly construed, means “a receding part or space.” This is the plain and ordinary meaning of the term (see dictionary.com). This construction is also consistent with the specification and how a person of ordinary skill in the art would construe the term.

The Examiner finds that the sockets 20 disclosed in the Ali reference (US 6,157,538) are akin to the claimed connecting elements and that the “enclosure” shown in Figure 4 of Ali is akin to the claimed housing (c.f. p. 3 of the Final Office Action). No further explanation is provided in the Final Office Action as to what components of Ali’s system 10 actually constitute the alleged housing. Presumably, the Examiner considers the circuit board 12, brackets 70 and 72 and access door 50 akin to the claimed housing since these components of Ali’s system 10 appear to form the enclosure referred to in the Final Office Action. However, the independent claims recite that the connecting elements are formed by **recesses** in the **module housing**. The alleged connecting elements in Ali are sockets 20 and not recesses in the enclosure formed by the circuit board 12, brackets 70 and 72 and access door 50. In contrast, the respective sockets 20 are attached or otherwise mounted to the interior surface of the circuit board 12 and thus are not recesses in a module housing as claimed. All claim rejections are in error and must be withdrawn because the Patent Office either has misconstrued the claim term “recesses” or ignored it altogether.

“Exterior”, properly construed, means “the outer surface or part; outside.” This is the plain and ordinary meaning of the term (see dictionary.com). This construction is also consistent with the specification and how a person of ordinary skill in the art would construe the term.

It is argued on p. 2 of the Final Office Action that “the upper portion of 20 extends from 12, which is the exterior layer of the device.” Component 20 referred to in the Final Office Action is a circuit board with an exterior and an interior as shown in Figures 2 and 4 of Ali. Each socket 20 of Ali’s system 10 abuts the interior of the circuit board 12 and extends downward to a lower plate 66 as shown in Figures 2 and 4 of Ali. No reasonable construction of the term “exterior” can include the **interior surface** of the circuit board 12 to which the sockets 20 are attached. To find otherwise would direct contradict the plain and ordinary meaning of the term

“exterior.” Accordingly, all claim rejections are in further error and must be withdrawn because the alleged connecting elements in Ali (sockets 20) extend from the interior of the circuit board 12, not the exterior as claimed.

The claim terms “recesses” and “exterior” impart particular structural features to the claimed invention and cannot be ignored by the Patent Office. Claiming the connecting elements as recesses in the module housing structurally differentiates the claimed invention over Ali’s system 10. Reciting that the recesses extend from the exterior of the housing even further structurally differentiates the claimed invention over Ali’s system 10. Ali does not teach or suggest at least these claim features as described above. Applicant therefore respectfully requests reconsideration of all pending claims in view of the foregoing arguments.

Respectfully submitted,
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